

REMARKS

Overview

Claims 1 and 3-10 are currently pending in this application. Claims 1 and 8 have been amended and claims 10 and 12 have been cancelled. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1 and 3-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 3,187,449 to Longo et al. Longo et al. is directed towards a magnetic picture frame and sign. In making this rejection, the Examiner reads the sleeve required by claim 1 onto member 21 of Longo et al. (Office Action, p. 2).

Longo et al refers to member 21 as a "cloth" (col. 1, line 62). Claim 1 now requires "a sleeve attached to the bottom surface of the body along the frame". Longo et al's member 21 is not "attached", let alone being "attached to the bottom surface of the body along the frame."

Claim 1 also now requires "the sleeve having an opening along the frame adapted for inserting the replaceable name tag behind the aperture in the frame." Longo et al does not disclose this limitation. Where the Examiner considers element 16 of Longo et al to be the replaceable name tag, and the element 16 of Longo et al is not inserted behind the aperture of the frame.

Claim 1 also requires "a desktop teaching aid body having a top surface and an opposite bottom surface, the bottom surface comprising a magnetic material for securing the body to a desk". Longo et al does not disclose such a limitation. Longo et al discloses a magnet 20 which

is not the bottom surface of a teaching aid. In addition, claim 1 recites "the body defining a frame around an aperture through the body." The magnet 20 of Longo et al does not have an aperture. For all these reasons, the structure of Longo et al is significantly different from what is claimed in claim 1. Therefore, this rejection to claim 1 must be withdrawn. As claims 3-7 depend from claim 1, these rejections should also be withdrawn.

Claims 8-10 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haupt '620 in view of McAllister '153, Greenberg '325, and Miller '902. These rejections are respectfully traversed.

Haupt discloses an educational toy comprised of a series of larger boards and a series of smaller boards. The larger boards include a picture of an object and a name associated with that object above the object. Below the picture is a recess in the board. The smaller boards have matching names to the objects on the larger boards. The smaller boards are identical in shape and size, and will fit into each recess of the larger board. The goal of the educational toy is to have the child match the word on the smaller board into the correct recess of a larger board which includes the object the word is describing.

McAllister is directed towards a toy which has various recesses which accept correspondingly shaped magnetic pieces. Greenberg discloses an educational game involving a framed recess where answer cards with a coded configuration are matched together to correspond to educational exercises. Miller involves an educational matching game where replaceable cards are inserted into pockets on a board to match with one or more pictures on the board.

Claim 8 has been amended, including by incorporating subject matter from now cancelled claims 10 and 12. In addition, claim 8 requires two regions of permanent educational material such as that shown in Figure 4.

It is respectfully submitted that the rejection to claim 8 is based on improper hindsight. The references cited are directed towards educational toys where students remove and replace pieces as a part of the educational game. Here, the claimed structure is provided to assist in presenting educational material to the student and replacement of the name tags is not part of an educational game. The Examiner provides no convincing line of reasoning to produce a desktop teaching aid as claimed in claim 8. Nor would it be reasonable for one of ordinary skill in the art to provide a matching game configured like the desktop teaching aid of claim 8 where there are two name tag regions below a first permanent educational material region and above a second permanent educational material region.

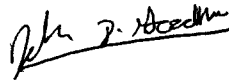
Therefore, it is respectfully submitted that the rejection to claims 8 and 9 be withdrawn.

Conclusion

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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